



HOUSE OF REPRESENTATIVES

COMMITTEE ON EDUCATION
REP. PAMELA HORNBERGER
CHAIR

COMMITTEE MEETING MINUTES

Tuesday, March 12, 2019

9:00 AM

Room 521, House Office
Building

The House Standing Committee on Education was called to order by Chair Hornberger.

The Chair requested attendance be called:

Present: Reps. Hornberger, Paquette, Crawford, Vaupel, Reilly, Hall, Markkanen, O'Malley, Wakeman, Camilleri, Sowerby, B. Carter, T. Carter, Koleszar, Stone.

Absent/Excused: None.

Representative Markkanen moved to adopt the meeting minutes from the March 5th, 2019, meeting. There being no objection, the motion prevailed by unanimous consent.

The Chair laid HB 4206 before the committee:

HB 4206 (Rep. Frederick) A bill to amend 1979 PA 94, entitled "The state school aid act of 1979," by amending section 101 (MCL 388.1701), as amended by 2018 PA 586.

Representative O'Malley moved to adopt substitute (H-2) to HB 4206. The motion prevailed 15-0-0:

FAVORABLE ROLL CALL

Yeas: Reps. Hornberger, Paquette, Crawford, Vaupel, Reilly, Hall, Markkanen, O'Malley, Wakeman, Camilleri, Sowerby, B. Carter, T. Carter, Koleszar, Stone.

Nays: None.

Pass: None.

Representative Stone offered the following amendment to HB 4206 (H-2):

1. Amend page 8, line 6, by striking out all of subsection (4) and inserting:
"(4) ALL OF THE FOLLOWING APPLY TO THE PROVISION OF PUPIL INSTRUCTION:
 - (A) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THE FIRST 6 DAYS OR THE EQUIVALENT NUMBER OF HOURS FOR WHICH PUPIL INSTRUCTION IS NOT PROVIDED BECAUSE OF CONDITIONS NOT WITHIN THE CONTROL OF SCHOOL AUTHORITIES, SUCH AS SEVERE STORMS, FIRES, EPIDEMICS, UTILITY POWER UNAVAILABILITY, WATER OR SEWER FAILURE, OR HEALTH CONDITIONS AS DEFINED BY THE CITY, COUNTY, OR STATE HEALTH AUTHORITIES, ARE COUNTED AS HOURS AND DAYS OF PUPIL INSTRUCTION.**
 - (B) IN ADDITION TO THE 6 DAYS UNDER SUBDIVISION (A), WITH THE APPROVAL OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION, THE DEPARTMENT SHALL COUNT AS HOURS AND DAYS OF PUPIL INSTRUCTION THE DAYS AND THE EQUIVALENT NUMBER OF HOURS FOR WHICH PUPIL INSTRUCTION IS NOT PROVIDED THAT ARE INCLUDED IN A PERIOD FOR WHICH THE GOVERNOR HAS ISSUED AN EXECUTIVE ORDER DECLARING A STATE OF EMERGENCY IF BOTH OF THE FOLLOWING REQUIREMENTS ARE MET:**
 - (i) THE DISTRICT PROVIDES ITS HOURLY EMPLOYEES THE FULL COMPENSATION THAT THEY WOULD HAVE BEEN ENTITLED TO HAD THEY WORKED FOR THE PERIOD DURING WHICH PUPIL INSTRUCTION WAS NOT PROVIDED AS DESCRIBED IN THIS SUBDIVISION.**
 - (ii) THE DISTRICT PROVIDES WRITTEN DOCUMENTATION TO THE DEPARTMENT THAT ITS HOURLY EMPLOYEES RECEIVED FULL COMPENSATION AS REQUIRED UNDER SUBPARAGRAPH (i).**
 - (C) WITH THE APPROVAL OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION, THE DEPARTMENT SHALL COUNT AS HOURS AND DAYS OF PUPIL INSTRUCTION FOR A FISCAL YEAR NOT MORE THAN 3 ADDITIONAL DAYS OR THE EQUIVALENT NUMBER OF ADDITIONAL HOURS FOR WHICH PUPIL INSTRUCTION IS NOT PROVIDED IN A DISTRICT DUE TO UNUSUAL AND EXTENUATING OCCURRENCES RESULTING FROM CONDITIONS NOT WITHIN THE CONTROL OF SCHOOL AUTHORITIES SUCH AS THOSE CONDITIONS DESCRIBED IN THIS SUBSECTION."**

Representative Stone moved to adopt the amendment to HB 4206 (H-2). The motion did not prevail 6-9-0:

UNFAVORABLE ROLE CALL:

Yeas: Reps. Camilleri, Sowerby, B. Carter, T. Carter, Koleszar, Stone.

Nays: Reps. Hornberger, Paquette, Crawford, Vaupel, Reilly, Hall, Markkanen, O'Malley, Wakeman.

Pass: None.

Representative B. Carter offered the following amendment to HB 4206 (H-2):

1. Amend page 8, line 6, by striking out all of subsection (4) and inserting:

"(4) ALL OF THE FOLLOWING APPLY TO THE PROVISIONS OF PUPIL INSTRUCTION:

(A) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THE FIRST 6 DAYS OR THE EQUIVALENT NUMBER OF HOURS FOR WHICH PUPIL INSTRUCTION IS NOT PROVIDED BECAUSE OF CONDITIONS NOT WITHIN THE CONTROL OF SCHOOL AUTHORITIES, SUCH AS SEVERE STORMS, FIRES, EPIDEMICS, UTILITY POWER UNAVAILABILITY, WATER OR SEWER FAILURE, OR HEALTH CONDITIONS AS DEFINED BY THE CITY, COUNTY, OR STATE HEALTH AUTHORITIES, ARE COUNTED AS HOURS AND DAYS OF PUPIL INSTRUCTION.

(B) IN ADDITION TO THE 6 DAYS UNDER SUBDIVISION (A), WITH THE APPROVAL OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION, THE DEPARTMENT SHALL COUNT AS HOURS AND DAYS OF PUPIL INSTRUCTION THE DAYS AND THE CORRESPONDING NUMBER OF HOURS FOR WHICH PUPIL INSTRUCTION IS NOT PROVIDED THAT ARE INCLUDED IN A PERIOD FOR WHICH THE GOVERNOR HAS ISSUED AN EXECUTIVE ORDER DECLARING A STATE OF EMERGENCY IF ALL OF THE FOLLOWING REQUIREMENTS ARE MET:

(i) THE DISTRICT PROVIDES ITS HOURLY EMPLOYEES WITH WHOM IT HAS A COLLECTIVE BARGAINING AGREEMENT IN EFFECT AS OF THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBPARAGRAPH THE FULL COMPENSATION THAT THEY WOULD HAVE BEEN ENTITLED HAD THEY WORKED FOR THE PERIOD DURING WHICH PUPIL INSTRUCTION WAS NOT PROVIDED AS DESCRIBED IN THIS SUBDIVISION.

(ii) THE DISTRICT PROVIDES ITS HOURLY EMPLOYEES DESCRIBED UNDER SUBPARAGRAPH (i) WITH THE FULL COMPENSATION REQUIRED UNDER SUBPARAGRAPH (i) WITHIN THE TIME FRAME THAT THE EMPLOYEES ARE NORMALLY COMPENSATED.

(iii) THE DISTRICT PROVIDES WRITTEN DOCUMENTATION TO THE DEPARTMENT THAT ITS HOURLY EMPLOYEES DESCRIBED UNDER SUBPARAGRAPH (i) RECEIVED FULL COMPENSATION AS REQUIRED UNDER SUBPARAGRAPH (i) AND IN THE MANNER SPECIFIED UNDER SUBPARAGRAPH (ii).

(C) WITH THE APPROVAL OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION, THE DEPARTMENT SHALL COUNT AS HOURS AND DAYS OF PUPIL INSTRUCTION FOR A FISCAL YEAR NOT MORE THAN 3 ADDITIONAL DAYS OR THE EQUIVALENT NUMBER OF ADDITIONAL HOURS FOR WHICH PUPIL INSTRUCTION IS NOT PROVIDED IN A DISTRICT DUE TO UNUSUAL AND EXTENUATING OCCURRENCES RESULTING FROM CONDITIONS NOT WITHIN THE CONTROL OF SCHOOL AUTHORITIES SUCH AS THOSE CONDITIONS DESCRIBED IN SUBDIVISION (A)."

Representative B. Carter moved to adopt the amendment to HB 4206 (H-2). The motion did not prevail 6-9-0:

UNFAVORABLE ROLE CALL

Yeas: Reps. Camilleri, Sowerby, B. Carter, T. Carter, Koleszar, Stone.

Nays: Reps. Hornberger, Paquette, Crawford, Vaupel, Reilly, Hall, Markkanen, O'Malley, Wakeman.

Pass: None.

Julie Rowe, representing the American Federation of Teachers Michigan, spoke in opposition to the bill.

Tim Greimel, representing the American Federation of State, County, Municipal Employees Council 25, spoke in opposition to the bill.

Scott Darragh, representing St. Johns Public School Board, submitted written testimony in opposition to the bill, but did not wish to speak.

Representative Paquette moved to refer House Bill No. 4206 with substitute (H-2) to the committee on Ways and Means, with recommendation. The motion prevailed 9-6-0:

FAVORABLE ROLL CALL

Yeas: Reps. Hornberger, Paquette, Crawford, Vaupel, Reilly, Hall, Markkanen, O'Malley, Wakeman.

Nays: Reps. Camilleri, Sowerby, B. Carter, T. Carter, Koleszar, Stone.

Pass: None.

There being no further business before the committee, the Chair adjourned the meeting at 9:14 AM.

Representative Pamela Hornberger, Chair

Taylor Thrush
Committee Clerk
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